

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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H.C. SCHMIEDING PRODUCE CO., INC.,
WM ROSENSTEIN & SONS CO., M&M
FARMS EAST COAST, INC., E.W. KEAN
CO., INC., EAGLE FRUIT TRADERS, LLC,
PINTO BROS., INC. and WICK & BROS.,
INC.,

Plaintiffs,

DEL MONTE FRESH PRODUCE N.A., INC.,
and AMCO PRODUCE, INC.,

Intervenor-Plaintiffs,

-against-

ALFA QUALITY PRODUCE, INC., ALFA
QUALITY, INC., A&F PRODUCE, INC.,
MOUIZ KHALIFEH, WONDER FRUIT INC.
and ANTHONY FRAGGETTA,

Defendants.
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JUDGMENT
08-CV- 0367 (BMC)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 31 2009 ★

BROOKLYN OFFICE

A Memorandum and Order of Honorable Brian M. Cogan, United States District Judge, having been filed on July 23, 2009, denying Amco's motion for reconsideration; ordering that intervenor-plaintiff Del Monte has submitted evidence that it is owed \$18,213.00 in principal and \$2,266.32 in prejudgment interest covering the period up to July 7, 2008 (plus additional daily interest from July 7, 2008 in the amount of \$8.98 per day); ordering that intervenor-plaintiff Amco has submitted evidence showing that it is owed \$15,372.00 in principal and \$5,604.15 in prejudgment interest covering the period through May 11, 2009 (plus additional daily interest from May 12, 2009 in the amount of \$7.58 per day); finding that plaintiffs and intervenor-plaintiffs are entitled to judgment against the remaining defendants, jointly and severally, in the following amounts as listed:

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Plaintiff	Principal	Accrued Interest (through May 11, 2009)	Additional Daily Interest (from May 12, 2009)
Schmieding	\$11,970.00	\$3,759.02	\$5.90
Rosenstein	\$124,208.25	\$35,942.26	\$61.25
M&M	\$14,124.75	\$3,260.38	\$6.97
Kean	\$13,135.50	\$5,032.14	\$6.48
Eagle Fruit	\$66,332.30	\$16,012.40	\$32.71
Pinto	\$28,337.50	\$8,106.62	\$13.97
Wick	\$16,459.50	\$4,955.58	\$8.12

and directing the Clerk of Court to enter judgment in favor of plaintiffs and intervenor-plaintiff in accordance with the Court's Memorandum and Order; it is

ORDERED and ADJUDGED that Amco's Produce, Inc. motion for reconsideration is denied; that it is further,

ORDERED and ADJUDGED that judgment is hereby entered in favor of plaintiffs, H.C. Schmieding Produce Co., Inc., Wm Rosenstein & Sons Co., M&M Farms East Coast, Inc., E.W. Kean Co., Inc., Eagle Fruit Traders, LLC, Pinto Bros, Inc., and Wick & Bros., Inc., and against the remaining defendants, Alfa Quality Produce, Inc., Alfa Quality, Inc., A&F Produce, Inc., Mouiz Khalifeh, Wonder Fruit Inc. and Anthony Fraggetta, jointly and severally, in the amounts listed in the table above; and that it is further,

ORDERED and ADJUDGED that judgment is hereby entered in favor of intervenor-plaintiff, Del Monte in the amount of \$18,213.00 in principal and \$2,266.32 in pre-judgment interest covering the period up to July 7, 2008 (plus additional daily interest from July 7, 2008 in the amount of \$8.98 per day) and against the remaining defendants, Alfa Quality Produce, Inc., Alfa Quality, Inc., A&F Produce, Inc., Mouiz Khalifeh, Wonder Fruit Inc. and Anthony Fraggetta, jointly and severally, in the amounts listed in the table above; and that it is further,

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ORDERED and ADJUDGED that judgment is hereby entered in favor of intervenor-plaintiff, Amco Produce, Inc., in the amount of \$15,372.00 in principal and \$5,604.15 in prejudgment interest covering the period through May 11, 2009 (plus additional daily interest from May 12, 2009 in the amount of \$7.58 per day) and against the remaining defendants, Alfa Quality Produce, Inc., Alfa Quality, Inc., A&F Produce, Inc., Mouiz Khalifeh, Wonder Fruit Inc. and Anthony Fraggetta, jointly and severally, in the amounts listed in the table above.

Dated: Brooklyn, New York
July 31, 2009

s/Robert C. Heinemann
ROBERT C. HEINEMANN
Clerk of Court